

Notice of Allowability

Application No.

10/662,501

Examiner

Peter P Nerbun

Applicant(s)

EBATA ET AL.

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application papers.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☒ The drawings filed on 15 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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In accordance with MPEP 1302.04 the following grammatical errors have been corrected:

In claim 1, line 3, after "in", --an-- has been inserted; in claim 1, line 3, after "and", --a-- has been inserted; in claim 1, line 11, after "in", --the-- has been inserted.

In claim 12, line 3, after "in", --an-- has been inserted; in claim 12, line 3, after "and", --a-- has been inserted; in claim 12, line 12, after "in", --the-- has been inserted.

In claim 21, line 3, after "in", --an-- has been inserted; in claim 21, line 3, after "and", --a-- has been inserted; in claim 21, line 10, after "in", --the-- has been inserted.

Claim 1 and its dependent claims are allowed since claim 1 recites an X-direction moving mechanism movable in the X-direction between a position adjacent a standard of a sewing machine and a position far from said position adjacent said standard and a Y-direction drive attachment for holding an embroidering frame said attachment having a Y-direction moving mechanism provided therewith which is movable in the Y-direction normal to the X-direction, and being detachably connected to said X-direction moving mechanism.

Claim 12 and its dependent claims are allowed since claim 12 recites an X-direction moving mechanism movable in the X-direction between a position adjacent a standard of a sewing machine and a position far from said position adjacent said standard and a Y-direction drive attachment for holding an embroidering frame said attachment having a Y-direction moving mechanism provided therewith which is

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movable in the Y-direction normal to the X-direction, and being detachably connected to said X-direction moving mechanism.

Claim 21 and its dependent claims are allowed since claim 21 recites an output portion which may be moved in X and Y directions, an X-direction moving mechanism movable in the X-direction between a position adjacent a standard of a sewing machine and a position far from said position adjacent said standard, a Y-direction moving mechanism being movable in the Y-direction normal to said X-direction and a Y-direction drive attachment for holding an embroidering frame, said Y-direction drive attachment being provided with a second Y-direction moving mechanism which is movable in the Y-direction normal to said X-direction, and being detachably connected to said output portion.

The patent to Takenoya et al is cited to disclose an embroidery stitching machine comprising an embroidering frame (attached at 12, Fig. 4), an X-direction moving mechanism movable in the X-direction between two positions that vary in distance from a sewing machine standard and a Y-direction drive attachment 11 for holding the embroidering frame said attachment having a Y-direction moving mechanism provided therewith which is movable in the Y-direction normal to the X-direction. Stucki et al discloses another embroidery stitching machine comprising an embroidering frame 27a, Fig. 3, an X-direction moving mechanism movable in the X-direction between two positions that vary in distance from a sewing machine standard and a Y-direction drive attachment for holding the embroidering frame said attachment having a Y-direction

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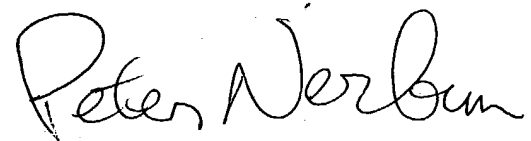
moving mechanism provided therewith which is movable in the Y-direction normal to the X-direction.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter P Nerbun whose telephone number is 703-308-0955. The examiner can normally be reached on M-F (1st Week) M-Th (2d Week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John J Calvert can be reached on 703-305-1025. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peter Nerbun
July 11, 2004


Peter Nerbun
Primary Examiner